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ABSTRACT

The history of Ontario's policies governing Franco-Ontarian education is highlighted in this paper, with a focus on the evolution of cultural pluralism and the struggle for minority French language education self-governance. Adopting a political systems framework for policy making and a pluralist perspective, the paper illustrates the conflicts associated with the evolution of the provisions for Franco-Ontarian educational governance. Key events affecting the governance of French-language schools are identified and placed within the context of the political organization of education in Ontario. Two questions are considered: (1) environmental factors that generated demand for minority French-language educational governance; and (2) their effects on policy. These questions are addressed by identifying policy "eras" from 1600 to June 1990 in an outline of the major issues and resulting policies. One figure is included. (66 references) (LMI)

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Taking Charge of Educational Governance: The Franco-Ontarian Experience

by

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A paper presented to
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Taking Charge of Educational Governance:
The Franco-Ontarian Experience

Abstract

Historically Franco-Ontarians have formed a small but vocal minority within the social and cultural fabric of Ontario. For Franco-Ontarians, the preservation of their language and culture has been closely tied to their aspirations for educational self-governance. The struggle for governance has been long and at times extremely conflictual, as the educational ambitions of Franco-Ontarians have collided with the dominant educational goals of Ontario's English-speaking majority. The paper presented here examines the history of Ontario's policies for Franco-Ontarian education. Adopting a political systems framework for policy making (Wirt and Kirst, 1989), and the pluralist perspective often associated with it (Dahl, 1982, 1989), the paper illustrates the conflicts associated with the evolution of the provisions for Franco-Ontarian educational governance. The political, and social contexts of major legislation regulating French-language education are discussed. The roles of educational commissions in the development of educational provisions for Franco-Ontarians are also outlined. The paper considers the historical evolution of educational policies and legislation in Ontario as they have been influenced by Franco-Ontarian educational aspirations.

Taking Charge of Educational Governance:
The Franco-Ontarian Experience

Franco-Ontarians currently represent only about six per cent of the total population of Ontario. There are, however, a number of French-language "islands" such as the eastern districts of the province where over 70 per cent of the population is French speaking. This Franco-Ontarian collectively has historically fought to maintain its cultural identify through the maintenance of the French language. For Franco-Ontarians, the preservation of their language and culture has been closely tied to their aspirations for educational self-governance. The struggle for self-governance has been long and at times extremely conflictual, as the educational ambitions of Franco-Ontarians have collided with the dominant educational goals of Ontario's English-speaking majority. Efforts to ensure the preservation, and development of French-language schools, have been closely tied to the development of Ontario's educational system. Educational systems, however, do not exist in a vacuum and their evolution is determined by the cultural framework which shapes them. As a result, Franco-Ontarian education must be examined in the context of English-French relations in Ontario, and the changing attitudes of the two collectivities with regard to their perception of the goals of education.

This paper presents an historical overview of the evolution of cultural pluralism, seen in the changing provisions for Franco-Ontarian educational governance in Ontario. The political, and social contexts of major legislation regulating French-language education are discussed. The roles of educational commissions in the development of educational provisions for Franco-Ontarians are also outlined. The paper considers the historical evolution of educational policies and legislation in Ontario as they have been influenced by Franco-Ontarian educational aspirations.

Conceptual Basis:

Political Systems Framework

The conceptual framework that guides an investigation is composed of related concepts, assumptions and questions which appear to be fruitful in attacking a research problem. The framework chosen for this investigation is derived from political systems theory (Easton, 1965a, 1965b). This perspective stresses the usefulness of viewing policy making as an interactive process through which inputs, including demands for change, are converted into outputs which include policy decisions. Policies establish goals and priorities that govern subsequent choices. Policies, to use Lasswell's classic definition declare "who gets what, when and how" (Lasswell, 1936). (See Figure 1)

The application of a systems approach requires that the boundary which sets the system apart from its environment be specified. The general environment, including political, social and economic dimensions forms the backdrop for policy making. It can be distinguished from the immediate environment which refers to the various individuals and groups with particular interest in educational policy making. This immediate environment is comprised of a relatively stable group of actors who have a continuing concern with educational policy and who taken together constitute the elements of an educational policy community. These actors would include the premier, and his office, the legislature, the minister of education, ministry officials, the provincial courts, and the various interest groups involved in the particular policy domain.

Identifying the actors who make up a policy systems is the first step in this systems approach, a second step is to determine the relationships among actors that determine educational policy. Policy-making relationships have been defined in relation to the four functional stages of the policy process:

- issue definition
- proposal formulation
- support mobilization
- decision enactment

Issue definition is the process by which the preferences of groups become translated into political issues. These are the demands that members of the political system are prepared to deal with as significant items on the policy-making agenda. Proposal formulation is a process by which issues are developed as specific recommendations for policy changes or for maintaining the status quo. Support mobilization is the process by which groups are activated to support or oppose alternative policy proposals. Decision enactment is the process by which an authoritative choice is made among alternative proposals

Political Pluralism

In assuming that policy is formed from the demands of a plurality of interest groups, the political systems perspective is consistent with the the normative perspective adopted by political pluralism. Political scientist Robert Dahl, long known for his theories of political pluralism, argued that all modern states contain diverse elements, which, with the advent of democracy, form into various autonomous organizations (Dahl, 1982, 1989). These groups, which include associations divided on the basis of language, ethnicity, religion, class and race, facilitate the legitimate expression of the various groups' demands to government, and thus enhance freedom. At the same time a dilemma arises from the need to develop policies which meet the demands of these groups while fulfilling the public interest as a whole. As Dahl suggested, this pluralist dilemma "is a universal problem in modern democracy" (1982, p. 30). Implicit in Dahl's theory is a value conflict between the democratic principle of freedom, which tends to promote autonomous groups, and the principles of equality and solidarity, which tend to imply control over these groups. Like Dahl, a number of sociologists have developed theories of plural societies.

Figure 1

A Political System Framework

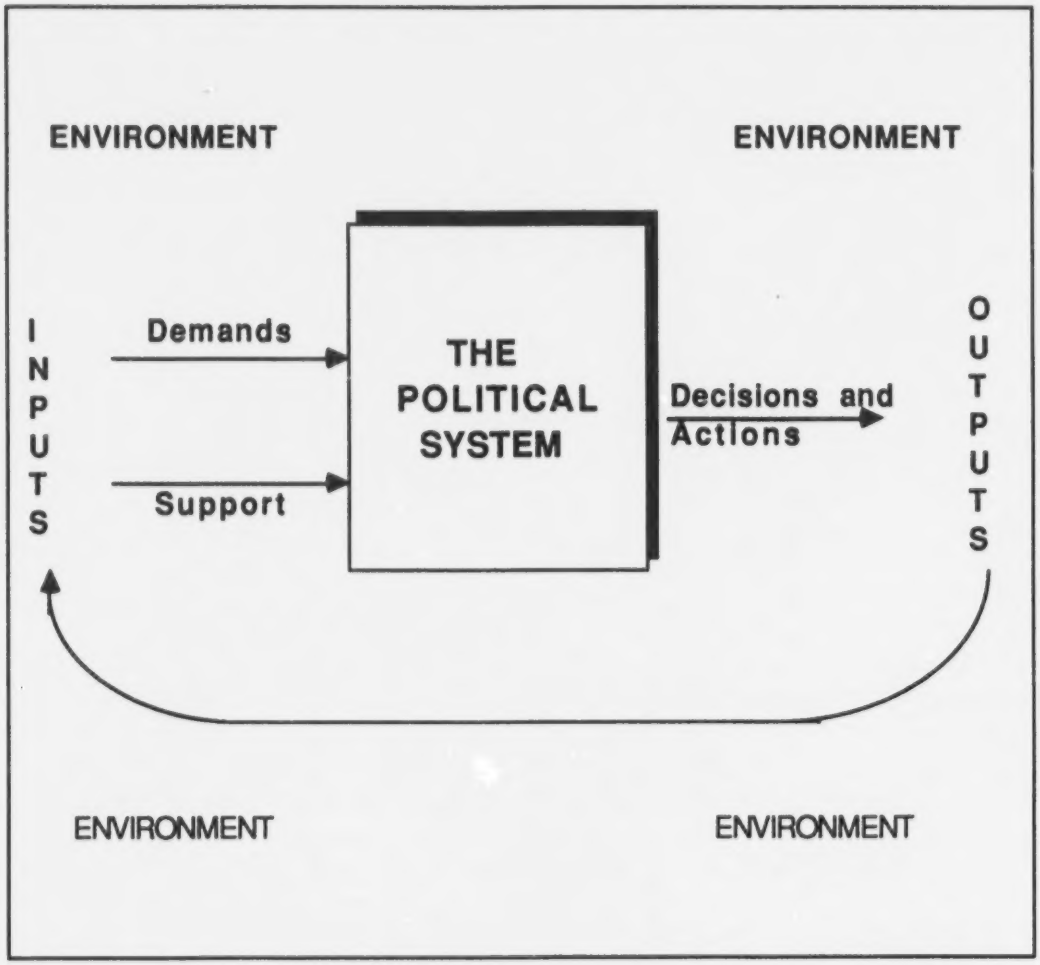

FIGURE 6. A SIMPLIFIED MODEL OF A POLITICAL SYSTEM.

Note. From The Organization and Control of American Schools, by R. Campbell, L. Cunningham, R. Nystrand and M. Usdan (Eds.), 1985, Columbus, OH: Charles E. Merrill.

Sociologists, such as van den Berghe (1969, 1981), believe that all modern states are to some extent plural, and they associate this pluralism with a number of features such as: cultural heterogeneity, intergroup conflict, and the tendency of one group to be politically dominant. These sociologists propose that pluralism involves more than cultural heterogeneity. Schermerhorn (1970) outlined three dimensions of pluralism cultural, structural, and normative. Cultural pluralism emerges when ethnic groups are set apart from the dominant group by attributes such as language or religion. Franco-Ontarians constitute such an ethnic group in that they are culturally and ethnically differentiated as a collectivity.

That a society appears as culturally pluralistic, does not ensure that this characteristic will be maintained. Cultural survival requires a degree of structural pluralism, or what Van den Berghe (1969, 1981) defines as the segmentation and compartmentalization of different groups by distinguishable sets of institutions, such as schools. Institutional pluralism forms the structures which maintain cultural pluralism. However, institutional pluralism also poses a dilemma for democracy. Rather than creating policies to support institutional pluralism, policy makers have used coercion to ensure social integration. Other strategies for social integration have also been used such as facilitating mobility between groups, promoting consensus on norms and values, and guaranteeing "equal" educational opportunities for all. The education system, as one of the state's primarily instruments of socialization, has often applied these strategies to promote social integration. Often the intent of such policies is to ensure the assimilation of minority ethnic, language, and cultural groups into the dominant culture.

For minority ethnic groups, such as Franco-Ontarians, struggling to maintain their culture and language, such strategies for social integration pose a distinct threat. From this perspective it is not surprising that Franco-Ontarians have struggled to establish and develop autonomous provisions for French-language education. Normative pluralism, arising from the strong desires of members of the minority to preserve their culture, is required in order for cultural pluralism to be translated into structural pluralism. The following discussion will show that normative pluralism has historically been a constant characteristic of the Franco-Ontarian collectivity. Franco-Ontarians have fought to establish educational structures that protect their language and culture. Ultimately, however, structural pluralism must be institutionalized in order for cultural pluralism to be maintained. As will be shown in this paper Franco-Ontarians continue to pressure policy makers to institutionalize minority French-language educational provisions.

Research Questions:

This paper chronicles the historical evolution of minority French-language educational governance in Ontario. Key events affecting the governance of French-language schools are identified, and placed within the context of the political organization of education in Ontario. The demands for educational self governance by Franco-Ontarians, are reviewed and related to the evolution of policies governing Franco-Ontarian education.

Two questions are considered:

(1) What have been the significant dimensions in the environment that have generated demands for minority French-language educational governance upon the educational system in Ontario?

(2) How have these environmental inputs affected the content of Ontario's policy on French language educational governance?

The paper addresses these questions by identifying policy "eras", or periods of time when the provisions for Franco-Ontarian education were guided by distinctive sets of issues, policies and common assumptions by policy

makers. These policy eras are presented in a time-line reporting the major issues, and policies emerging from those issues.

Early History, 1600-1760: The French Influence

1600s
- Early settlers and fur traders were primarily French Catholics.
- Education provided in Catholic parish schools (Jesuits, Ursaline And Notre Dame Sisters) with some financial aid from King of France.

1713
- Treaty of Ultrecht (France lost Canadian land holdings).
- Guaranteed French in those holdings free exercise of religion.

1763
- Treaty of Paris (defeat of France, French immigration stops).
- Respects French rights of free exercise of religion.

1760-1790: The English-Speaking Immigrants

1765
- Following defeat of French, English-speaking groups immigrated.
- English brought educational system which emphasized class system, non-interference by government and control by Anglican church.
- Scottish brought educational system influenced by Church of Scotland.
- Irish transported the religious strife between Protestant and Catholics to Canada, through the Protestant Orange Order.

1776
- American War of Independence resulted in movement to Canada of United Empire Loyalists, who brought American ideas of education based on notions of compulsory education and local control.

1791-1840: Education in Upper Canada

1791
- Constitution Act passed as result of immigration of English and United Empire Loyalists. It divided colony into Upper and Lower Canada (Ontario and Quebec).
- In English-speaking Upper Canada Catholic religious rights were confirmed.

1786
- First school (French-language) established at L'Assomption du Detroit.

1807
- Act to Establish Public School in Upper Canada, introduced concept of school districts, managed by elected trustees, supported by government grants.

1812
- War of 1812 was a watershed in the history of Upper Canada. The war stopped the tide of American settlers to Upper Canada.

1816
- Common Schools Act provided local elections for 3 trustees with responsibility to build schools (for 20 or more students).

1841
- Act of Union, resulting from Durham's report, united Upper and Lower Canada into administrative units of one united colony of Canada.

1841
- Common Schools Act introduced separate schools clause which allowed minority religious groups to establish minority school districts with the support of government grants. Act is significant for the establishment of separate schools in Ontario, and consequently for francophones.

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1841-1876: The Ryerson Years

1841 • Common School Act also create position of superintendent of education for Upper Canada. Egerton Ryerson held position for next 30 years.

• Ryerson had an impact on creation of universal, tax-supported elementary school system.

1840's -1876 • Ryerson's tolerant policies permitted language diversity in teachers and texts.

• Language spoken by teacher and students determined language of instruction.

• Ryerson's tolerant policies set precedent for recognition of French-language schooling in Ontario.

1863 • Scott Act, extended financial aid to separate schools by giving them a share of both the provincial and municipal grants. Since many of the separate schools were de facto French-language schools, the Act was significant for Franco-Ontarians.

The Constitution Act, 1867: Confederation

1867 • Constitution Act joined Quebec, Ontario, Nova Scotia and New Brunswick into Canada

• Education became a provincial matter subject to practices of the day.

• Section 93 provided constitutional guarantees for denominational education and also provided right of appeal for protestant or Catholic minorities.

• Section 133 provided limited linguistic rights, however the lack of provision for language, particularly in relation to schools was to have a significant impact on Franco-Ontarian educational aspirations.

1880-1910: Restrictions on French Language Instruction

1860s • Tolerant policies toward French-language instruction continued until the 1880s despite the divisive environment on the question of language of instruction.

• English feared French-language instruction undermined Anglo-Saxon character of Ontario.

• Franco-Ontarians wanted French-language instruction to maintain culture.

1880s • Growing fears by English that French-language instruction cause of lack of assimilation of Franco-Ontarians, resulted in demands for English only instruction.

1885 • Ontario government introduced resolution calling for daily use of English in schools.

1889 • French-language schools caused continued debate in legislature, as a result a commission was established to study how far English-language regulations were being applied. Commission recommended use of French, as a temporary measure, until students gained mastery of English.

1891 • Result was a policy which proclaimed that all instruction in public schools would be in English.

• Policy removed from authorized book lists all French textbooks, and provided extra teacher training.

• Policy did allow instruction in reading or writing in French or German where population warranted it.

• Policy established model bilingual (English/French) schools where instruction could be in French as well as English.

• Policy regulations did not directly require English instruction in separate schools like they did in public schools, but in practice they were applied to both separate and public schools alike.

1880-1910 • English concerns were fueled by influx of French Canadians into eastern Ontario because of lumbering and mining activities

• French population accounted for 25 per cent of total population increase in Ontario from 1880s to 1911.

• Protestants of Ontario equated bilingual schools with separate schools and therefore felt public education was under attack.

- Tension between French and English in Ontario part of larger tension between two groups in all the provinces as seen in the Riel rebellion, and the growth of Quebec nationalism under Henri Bourassa.
- Linguistic divisions appeared in Ontario as Franco-Ontarians felt their language and culture attacked while Irish Catholics and Protestant Orangemen also felt under siege because of French demands.
- Because Ontario's education system established on basis of religion, not race, Irish Catholics found themselves sharing educational services with Franco-Ontarians and controlled by French trustees.
- Result was that Franco-Ontarian militancy was viewed as a threat to separate schools by Irish Catholics.

1889
- Irish and French Catholics vied for control of Catholic church in Canada. Also seen in influence of French in removing English Catholic Father Fallon as vice rector of University of Ottawa.

1889
- Mowat government established a commission to investigate whether English language regulations were being applied in schools in francophone communities. Commission found that French was being taught in many schools and that the quality of teaching was poor in these schools.
- Commission recommended that: French be used as a temporary measure in schools in francophone communities, that training opportunities be provided for teachers, and that French-language texts be removed from authorized list.

1893
- Another commission found that the measures outlined by the 1889 report were having the desired effect of improving English-language instruction.
- Report also found that many French-language schools were joining the separate system where English-language regulations didn't apply.

1904
- Tensions between Irish and French Catholics seen in Ottawa Separate School Board, where Irish sought injunction to stop French from building new school and hiring Christian Brothers to teach in it.

1900-1910
- The Protestant Orange Order of Ontario's newspaper expressed concern that Franco-Ontarians refused to assimilate and that they reflected "creeping Catholicism."
- As a result of these concerns Orange Order began to pressure Conservative government to ensure "English only" in the schools of Ontario.
- Orange Order investigated schools and charged religious exercises were conducted and French used in schools to exclusion of English.

1908
- Department of Education official Dr. F.W. Merchant investigated bilingual schools in Ottawa valley. Found the schools predominantly French, but educational conditions were very poor. Recommended training schools for French teachers.
- Merchant noted the strong feeling among Franco-Ontarians that French language must be maintained.

1910: Organization by Franco-Ontarians

1900-
- French Ontarians always considered themselves a distinct group in Canada.
- They reacted to Anglo-Saxon dogmatism with intensified nationalism and sense of solidarity which produced l'Association Canadienne-Français d'Education d'Ontario.

1907
- Formation of ACFO culmination of long series of events beginning with a pedagogical convention of inspectors of bilingual schools in eastern Ontario. Convention passed resolutions calling for reform of bilingual education.

1908
- Eastern Ontario French newspaper began to urge Franco-Ontarians to join together to fight for French rights in Ontario.

1908-1909
- Groups of Franco-Ontarian school inspectors and professionals began planning for a French-Canadian congress.

1910
- 1,245 delegates of local committees met for the first French-Canadian Congress on Education to discuss needs and difficulties and hear reports on social and educational issues.

- Congress founded a permanent organization: l' Association Canadienne-Français d'Education (all persons of French origin in Ontario were made members).
- Congress passed resolutions to be presented to Ontario government demanding that French language be given a more official and important position in elementary, secondary schools and teacher training institutions.
- Also demanded official designation as bilingual schools where majority of students were French, more instruction in French, lower passing requirements for French in English subjects and supervision of bilingual schools by bilingual inspectors.

Increasing Conflict: The Background to Regulation 17

1910
- Congress resolutions were presented to the Ontario government
- Orange Order responded to Congress resolutions by calling on government to abolish all bilingual schools.
- Irish Catholics also saw Congress resolutions as negative influence on their own demands for greater support for Catholic schools.
- Government cited French demands as reason for failure to provide support for separate schools.

May
- Catholic Bishops presented their opposition to French demands to government

Sept.
- French/English Catholic schism deepened at Twentieth Eucharistic Congress when Archbishop called on Catholic Church to identify itself with English language in order to advance Catholicism.
- Franco-Ontarians countered with charges that Irish Catholic Father Fallon forbade use of French in schools in his diocese.
- Fallon countered with charges that bilingual schools were incompetent.

Dec.
- Issue of bilingual schools became central part of provincial election, dividing Conservative party along linguistic grounds.

1912
- Dr. Merchant's report on bilingual schools in north and east Ontario confirmed charges of incompetence of the schools in both French and English instruction.

June
- Government response was to pass Regulation 17 requiring that in order to obtain grants schools had to employ teachers able to instruct in English, use only authorized textbooks, begin English instruction as soon as child entered school, and discontinue French instruction after 2 years (except on recommendation of inspector).

1912-1927: Pressures for Change

- Effect of Regulation was to mobilize Franco-Ontarian opposition.
- In Ottawa dispute arose between English and French separate school supporters over French schools refusal to comply with regulations, which culminated in the Privy Council's decision that restriction on use of French was within jurisdiction of provincial legislature.
- Catholic clergy divided along linguistic and cultural lines in supporting Franco-Ontarian educational aspirations.

1912-1927
- Opposition by Franco-Ontarians grew: l'Association Canadienne-Français d'Education led fight for French-language educational rights.

1920s
- Unity league, comprised of prominent anglophones (all protestant) supported Franco-Ontarian educational aspirations, and worked gain the support of the public

1927
- Second report by Dr. Merchant recommended that there be no regulation limiting language of instruction, and that local inspector determine appropriate balance of French and English.

- Public attitudes had changed since the Regulation 17 controversy, and government acceptance of Merchant report was supported by the public generally
- French-language education given government support by recognition of école Normale at the University of Ottawa.
- Government appointed Robert Gauthier as first director of French-language education in the province.

The Role of the Catholic Church

1926-1928
- Tiny Township case significant blow to Catholic and French-language education at secondary level.
- Court decision found government not constitutionally responsible to fund separate schools beyond grade 10.
- Consequence was for next 40 years access to French-language education provided by network of church supported Catholic private colleges.
- Catholic church traditionally played significant role in French- language education in Ontario from nineteenth century on by creating separate schools.
- From 1891 to 1961 number of bilingual public schools declined from 114 to 52 while number of bilingual separate school increased from 87 to 507.

1950
- Royal Commission on Education in Ontario confirmed that in bilingual elementary schools French remained language of instruction, however it also upheld Tiny case decision, therefore did not recommend funding of Catholic education beyond grade 10.

1960s
- Franco-Ontarian leaders continued to pressure government for better provisions for separate bilingual schools through to grade 13, arguing that it was unfair that Franco Ontarians were forced to maintain system of private high schools while paying taxes to support the public system.

1968
- Carnegie Study, (Royal Commission on Bilingualism and Biculturalism) found French students of Ontario had much less success in becoming educated compared to English students.

Changing Attitudes: The Bill of Rights, 1960

1960
- Although Canadian Bill of Rights did not provide for language rights it did signal a change in attitude towards a public recognition of fundamental rights and freedoms.

1967
- Royal Commission on Bilingualism and Biculturalism established by the federal government also reflected political concerns for minority language rights.
- Commission made 46 specific recommendations for implementing language rights in education, including right to receive instruction in minority language in areas designated as bilingual districts where numbers warranted.

1970
- Official Languages Act of Canada passed as a result of Commission recommendations, however because education in Canada is a provincial responsibility no reference to language of education was made.
- The federal government did however declare publicly its willingness to provide financial aid to further the Commission's recommendations.

Ontario's Commitment of French-Language Instruction

1967
- Ontario Premier announced decision to provide French-language secondary education within the public system

1968-1978
- Commitment to providing education to French and English-speaking students in their own language emphasized at Confederation of Tomorrow Conference and a series of federal-provincial conferences.

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1968 • Committee on French-language Secondary Schools in Ontario (Bériault Report) established to advance the cause of French-language schooling.

• Committee recommended government recognize that Franco-Ontarians had the right to complete their education in French at all levels, elementary, secondary, and post-secondary.

• Recommended the creation of French-language Advisory Committees (FLACs) in schools boards.

1968 • Bill 140 passed establishing French-language Advisory Committees (FLACs) for elementary schools operated by Catholic and public school boards.

• Bill 141 also passed establishing FLACs for secondary schools operated by public school boards.

1968-1969 • As a result of declining enrollments caused by Bill 141, and the impossibility of providing equivalent services to publicly funded secondary schools, the private French-language Catholic secondary schools transferred to the public boards.

• In these public boards Catholic students were represented by trustees elected by separate school supporters, and Francophone students were represented by FLACs.

• This arrangement meant French-language secondary schools received full share of grants but were controlled by public boards and their trustees.

• Impact of the funding of French high schools was seen in dramatic increase in the numbers of Franco-Ontarians enrolled in French schools.

1969 • Regionalization policy of Ontario government confounded impact of Bill 140 and 141 on the Ottawa-Carleton region resulting in the creation of four boards for the region, two Catholic and two public.

Constitutional Developments: 1968-1982

1968 • Prime Minister P.E. Trudeau first proposed a constitutionally entrenched Bill or Charter of Rights which guaranteed linguistic rights.

1968 1976 • During several Constitutional Conferences of First Ministers (of the provinces) various White Papers proposing a Canadian Charter of Human Rights (including language rights) were presented and discussed

• Ultimately led to the recognition by the Premiers to two principles: the right of every child to an education in the minority language wherever numbers warrant; and the exclusive provincial jurisdiction over education.

1978 • Bill C-60 The Constitutional Amended Bill was tabled by federal government and subsequently discussed in First Ministers Conferences. Bill C-60 included the principles recognized by the premiers.

1977 • Task Force on Canadian Unity established to obtain views of Canadians on state of country. Task Force made recommendation on linguistic rights based on same principles defined by Bill C-60.

1980 • Following failure of Federal-Provincial Conference of First Ministers on the Constitution to reach agreement on patriation of the Constitution and entrenchment of minority language rights Prime Minister Trudeau announced intention of federal government to proceed unilaterally.

Nov. • Special Joint Committee of Senate and House of Commons on the Constitution of Canada established to consider the proposed resolution.

• Committee heard from provincial minority language groups opposed to the limitation of "where numbers warrant" in Section 23 which provides for minority language rights.

1981 • Following a Supreme Court ruling that it was within the right of Parliament to proceed to patriation without provincial agreement, another First Ministers Conference was held where nine of the provinces reached agreement.

• Agreement included acceptance of Section 23 of the Charter of Rights and Freedoms which provides for minority language rights.

1982 • Canada Act proclaimed. Enshrines the right to be educated in English or French in Section 23 of the Charter of Rights and Freedoms.

1970-1981 • Federal government supported minority-language rights through a system of formula grants to provinces for the costs of second-language teaching of the second official language of the province.

Accelerating Change in Ontario

1971 • In response to difficulties encountered by Franco-Ontarians in getting boards to establish homogeneous French-language schools, a Ministerial Commission on French Language Secondary Education was established (Symons Commission).

• Commission found increased anglicization of francophone and as a result made 76 recommendations which provided the framework for legislative reforms which had three main effects.

• First, mandatory requirements for providing instruction in French were strengthened.

• Second, French Language Advisory Committees (FLAC)s, were created.

• Third, the Languages of Instruction Commission of Ontario was created in 1973, which provided a mechanism for mediation and resolution of conflicts.

1973 • The Franco-Ontarian Education Council was formed within the Ministry of Education.

1977 • First Assistant Deputy Minister for French-Language Education appointed and initiatives for special grants for French-language educational services and materials were begun.

A French-Language School Board for Ottawa-Carleton

1960s • Many francophones advocated single school board for the French-speaking population of the Ottawa-Carleton region.

1969 • Amalgamation of Ottawa-Carleton schools boards (and other regions) resulted in loss of control of their schools by Franco-Ontarians

1970s • Consequently in Ottawa-Carleton region francophone dissatisfaction with educational governance had been growing because there was little representation of Franco-Ontarians on schools boards.

1976 • Mayo Commission, reviewing the operational framework of the Regional Municipality of Ottawa-Carleton, was first official body to address the issue of a French-language board

• Based on interviews with local francophone leaders and responses to a questionnaire by local francophone parents Mayo recommended that a French-language School Board be established for the region.

1977 • Local francophone leaders pressured the government for a school board, and G. Lévesque wrote a report on why and how the Mayo Commission recommendations should be implemented.

1979 • Local francophone trustees established Le Conseil francophone de planification scolaire d'Ottawa-Carleton (CFPS) to promote the formation of a French-language board for the region.

Feb. • Government issued a Green Paper responding to Mayo's recommendation. Paper argued that they could not support the creation of a French-language board because it would "initiate the establishment of a third separated school system in Ontario"

• A government proposal to establish French-language sections controlled by elected French trustees was rejected by local boards.

1980-81 • Local groups continued to pressure the government for a FLSB.

1981 • Ministry of Education's Secondary Education Review Project recommended that different board structures and advisory mechanisms to suit local needs be explored.

1982
- In response, the government established the Joint Committee on the Governance of French-Language Elementary and Secondary Education to recommend alternatives for giving francophones greater governance of their schools within existing structures.
- Committee recommended right of French speaking students to elementary and secondary education be recognized, that principle of proportional and guaranteed representation of minority ratepayers be accepted, and there be a minimum numbers of minority language trustees

1983
- A Ministry White Paper in response to Joint Committee proposed amendments to Education Act in conformity with Section 23 of the Charter, and went beyond by removing condition of "where numbers warrant" imposed by the Charter
- Required boards to establish minority-language sections consisting of trustees elected by minority-language ratepayers.

1983
- In response to delays Franco-Ontarian associations launched court action regarding their rights of educational governance. Government referred the question to the Ontario Court of Appeal.
- Minority-Language Governance Committee (Sullivan Committee) created to study models of secondary school governance. One model recommended was that of a homogeneous school board.

1984
- Full funding extended to secondary schools in separate school system.
- Court of Appeal rules that sections of Education Act violated rights given to Franco-Ontarians under Section 23 of the Charter of Rights.
- In response, Bill 199 passed granting right of French-language instruction to "even one child".
- Government's legislation providing for governance of French-language schools by francophone trustees within existing boards rescinded by the new Liberal government as a result of opposition by local trustees.
- Franco-Ontarian educational associations commission studies to provide recommendations to the government on how a homogeneous board could work. (Foucher Report, Lapointe Report).

Bill 75: The Creation of French-Language Education Councils (FLECs)

1986
- Act to Amend the Education Act and the Municipality of Metropolitan Toronto Act (Bill 75) passed.
- Created minority-language councils within existing school boards, with right to govern own schools.
- French-Language Education Councils (FLECs) replaced existing French-Language Advisory Committees (FLACs).
- Jurisdiction of FLECs provided significant increase in independence for francophones.
- Bill 75 also created English-Language Education Councils (ELECs) in the rare cases where English is the minority language of the school board.
- Bill 75 based assumptions of guaranteed and proportional representation based on proportion of French-language resident pupils; and exclusive jurisdiction by FLECs/ELECs of respective instructional units, and financial and administrative control.
- Bill 75 also provides for areas of common jurisdiction of the minority and majority language councils, where a majority quorum is required
- Selection of minority-language trustees to act on interim basis until Nov. 1988 elections varied. In some cases trustees were elected in town hall meeting of Franco-Ontarians, and in others they were appointed.

Bill 125: Redefining the Enumeration Process

1988
- Bill 125 amended the Education Act to define the number of French-language trustees on the basis of the francophone population in each school district.
- Based number of French-language trustees on the number of French-speaking residents rather than the number of French-speaking students as was the case previously.

May
- French-speaking electors were identified for the first time during enumeration for the municipal elections.
- Association of French School Boards took court action as a result of the enumeration, charging that the process was faulty and discriminated against francophones.
- Ontario Supreme Court ruled in favor of Association, overturning the legislation because it represented a denial of francophone rights.
- Ontario Public School Boards Association appealed this decision arguing that the enumeration process was administrative not a constitutional issue and therefore ultra vires of the Court.
- Government also appealed decision arguing that overturning Bill 125 would disrupt the upcoming municipal elections.
- Appeal Court set aside previous decision overturning Bill 125.

Bill 109: A New French-Language School Board

1986
- Ottawa-Carleton French-Language Advisory Committee (Roy Committee) created by government to plan for the establishment of a French-language school board by the Nov.1988 elections.

1987
- Implementation Committee, headed by M. Lapointe and composed of a member of each board's FLEC and a member from each board's English section created by the government.
- Advisory Committee's report formed the basis for the legislation creating the new FLSB.

Mar.1988
- Draft legislation, prepared by the Ministry's Franco-Ontarian Section was sent to the local boards for comment.

Apr.
- Minister of Education (C.Ward) tabled Bill 109, which creates a French-language school board in Ottawa-Carleton.
- Bill created a FLSB with two sectors, public and separate, that have exclusive jurisdiction in most matters but share some responsibilities.

May
- Enumeration of electors resulted in disappointing results for the new FLSB. Francophones charged irregularities in the process and the complexities of the process were the cause of the shortfall in expected support.

May
- Standing Committee on Social Development composed of Members of the Ontario Legislature held public hearings to obtain public input on the final form of Bill 109.
- Francophones expressed concern over the lack of provision for funding, and Catholic school supporters were concerned that the umbrella structure of the new FLSB would infringe on the constitutional rights guaranteed to Catholics.

June
- Bill 109 passed by the Legislative Assembly without any amendments

Sept.
- Regional boards went through complex negotiations for the transfer of assets to the new FLSB.
- Transfer process was particularly complex and problematic in small separate school board where there were an equal number of majority and minority-language trustees.

Nov.
- In the first election of trustees for the new FLSB, 14 separate school trustees and 8 public school trustees were elected.

January .1989

- New French-Language School Board began formal operations.
- To ease the transition process the new board will pay fees to the region's four boards to operate its 53 schools until Sept. 1989.
- New board faces complex task of negotiating 23 separate union contracts under one umbrella contract.
- Board also faces uncertain financing arrangements, because it is dependent on the Ministry for grants, until a permanent funding arrangement is worked out.
- The Board will certainly be affected by the restructuring of educational financing currently under study by the Ministry.
- The Ottawa-Carleton French-Language School Board will likely be seen as a test case for other possible FLSBs in Ontario.

Another Court Victory for Francophones

March 1990

- Supreme Court of Canada rules in the Mahe vs Alberta case that the Charter of Rights and Freedoms guarantees minority francophones the "exclusive authority" to make decisions relating to the education of their children.
- The ruling stated that the right to manage and control may, depending on the numbers of students, require an independent minority language school board. Supreme Court envisioned a kind of sliding scale of governance for management and control of French-language education
- The Supreme Court also indicated that "the quality of education provided to the minority language group in Edmonton should be on a basis of reasonable equality with the majority, although it need not be identical, and public funding adequate for this purpose must be provided."

An Action Plan for the Future Governance of French-language Education in Ontario

June, 1990

- Sean Conway, the Liberal Minister of Education of Ontario announced an action plan for the development and implementation of recommendations for the future governance of French-language education in Ontario.
- Plan included establishment of:

  - a French-Language Governance Advisory Group to recommend criteria for the establishment of French-language schools boards as well as alternative approaches to French language governance.and the terms of reference to be used by the French Language Implementation Commission.

  - a French Language Implementation Commission responsible for receiving an reviewing proposals for the establishment of French-language school boards and other appropriate approaches to the governance of French-language education in Ontario. Commission would review community input and factors such as demography, funding methods, facilities and impact on local school boards before recommending options to the Minister of Education

  - Amendments to the Education Act governing school trustee representation were proposed which would ensure that the number of French-language school trustees on school boards would be proportional to the number of French-language students in the school district. (Bill 125, enacted in 1988, ensured that the number of French-language school trustees is proportional to the total French-language population in the area)

Taking Charge of Educational Governance: The Franco-Ontarian Experience

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